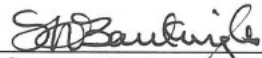




SO ORDERED.

SIGNED this 30th day of April, 2019

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**


Suzanne H. Bauknight
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE, TENNESSEE

IN RE:

MICHAEL DULIN,

No. 3:18-BK-33056-SHB

Debtor.

Chapter 7

**DANIEL CARLYLE EVANS and
AMELIA JEAN EVANS,**

Plaintiffs,

v.

ADVERSARY NO. 3:19-ap-03018

MICHAEL DULIN,

Defendant.

AGREED JUDGMENT

The Plaintiffs, Daniel Carlyle Evans and Amelia Jean Evans, (hereinafter collectively the "Plaintiffs"), filed a Complaint to Determine Dischargeability against the Defendant/Debtor,

Michael Dulin, (hereinafter the “Debtor”). As reflected by the signature of counsel below, the Debtor has agreed to resolve this action without the need for trial and has agreed to the entry of an Agreed Judgement, as set forth herein.

FINDINGS

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. § 523.

2. Venue in the Eastern District of Tennessee is proper pursuant to 28 U.S.C. § 1409(a).

3. This is a core proceeding under 28 U.S.C. § 157(b)(2)(I).

4. The Plaintiffs are a creditor of the Debtor, having filed the proof of claim designated as Claim 11-1 on the Claims Register. The parties have agreed that the debt the Debtor owed the Plaintiffs as of the date of the filing of the Bankruptcy Petition was \$380,787.73. Pre-judgment interest has accrued since the Debtor misused the Plaintiffs’ deposit money paid on January 10, 2018.

5. Pursuant to the Agreed Order Approving Stipulation of Nondischargeability of Certain Debts entered contemporaneous herewith, the Debtor has stipulated that this debt is nondischargeable, and the Debtor has waived his right to a discharge of this debt in this case and in any subsequent petition for relief in bankruptcy.

ORDER AND JUDGMENT

6. Judgment is hereby entered in favor of the Plaintiffs against Defendant/Debtor, Michael Dulin, in the total amount of \$380,787.73, plus pre-judgment interest from January 10, 2018, at the rate prescribed in 28 U.S.C. § 1961.

7. The judgment is nondischargeable pursuant to 11 U.S.C. § 523(a) and 11 U.S.C. § 727(a).

8. Pursuant to Fed. R. Bank. Proc. 7054, costs are taxed to the Defendant/Debtor, Michael Dulin.

9. Undersigned counsel of record represent that they are fully authorized to execute and enter into this Agreed Judgment on behalf of the respective parties whom they represent and acknowledge they have authority to bind the parties in this Adversary Proceedings.

10. Upon entry, this judgment is a final determination of the rights of the parties to secure the relief requested, namely a nondischargeable judgment, and therefore, constitutes a Final Judgment in this Adversary Proceeding. The clerk is requested and directed to enter this judgment in Bankruptcy Case No. 3:18-BK-33056-SHB in accordance with Fed. R. Bank Proc. 5003(a) and 7058.

###

AGREED AND STIPULATED:

QUIST, FITZPATRICK & JARRARD, PLLC

By: /s/ Ryan E. Jarrard
 Ryan Jarrard (BPR #024525)
 2121 First Tennessee Plaza
 800 South Gay Street
 Knoxville, Tennessee 37929
Attorney for the Debtor

THE ADAMS LAW FIRM

By: /s/ Terry G. Adams
Terry G. Adams (BPR #023466)
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Attorney for the Plaintiffs, Daniel and Amelia Evans